

House Bill 186 (AS PASSED HOUSE AND SENATE)

By: Representatives Martin of the 47th, Drenner of the 86th, and Cox of the 102nd

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 48-7-29.11 of the Official Code of Georgia Annotated, relating to income tax credits for teleworking, so as to extend the period of time for which such credits are granted; to change the amount of certain credits; to change certain reporting requirements; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 48-7-29.11 of the Official Code of Georgia Annotated, relating to income tax credits for teleworking, is amended by revising subsection (b) as follows:

"(b) For taxable years beginning or ending on or after January 1, 2008, and prior to January 1, ~~2010~~ 2012, an employer shall be allowed a state income tax credit against the tax imposed by Code Section 48-7-20 or Code Section 48-7-21 for a percentage of eligible telework expenses incurred in the corresponding calendar ~~years 2008 and 2009~~ year. The amount of such credit shall be calculated as follows:

(1) The credit shall be equal to 100 percent of the eligible telework expenses incurred pursuant to a telework agreement requiring the participating employee to telework at least 12 days per month if the employer's principal place of business is located in an area designated by the United States Environmental Protection Agency as a nonattainment area under the federal Clean Air Act, 42 U.S.C. Section 7401 et seq.;

(2) The credit shall be equal to 75 percent of the eligible telework expenses incurred pursuant to a telework agreement requiring the participating employee to telework at least 12 days per month; or

(3) The credit shall be equal to 25 percent of the eligible telework expenses incurred pursuant to a telework agreement requiring the participating employee to telework at least five days per month."

SECTION 2.

Said Code section is further amended by revising paragraph (2) of subsection (e) as follows:

"(2) The commissioner shall provide tentative approval of the applications by the date provided in paragraph (3) of this subsection. In no event shall the aggregate amount of tax credits approved by the commissioner for all qualified employers under this Code section in a calendar year exceed:

(A) ~~Two million dollars for~~ For credits earned in calendar year 2008, \$2 million; and

(B) ~~Two million dollars for~~ For credits earned in calendar year 2009, \$2 million;

(C) For credits earned in calendar year 2010, \$2.5 million; and

(D) For credits earned in calendar year 2011, \$2.5 million."

SECTION 3.

Said Code section is further amended by revising subsection (f) as follows:

"(f) Notwithstanding the provisions of Code Sections 48-2-15, 48-7-60, and 48-7-61, ~~on or before December 31, 2010, for credits allowed in calendar year 2008 and by December 31, 2011, for credits allowed in calendar year 2009,~~ the commissioner shall make available a public report disclosing the employer names and amounts of credit claimed under this Code section as follows:

(1) On or before December 31, 2010, for credits allowed in calendar year 2008;

(2) On or before December 31, 2011, for credits allowed in calendar year 2009;

(3) On or before December 31, 2012, for credits allowed in calendar year 2010; and

(4) On or before December 31, 2013, for credits allowed in calendar year 2011."

SECTION 4.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.